

## UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.  
50325-079622386 U.S. PTO  
10/646661  
08/21/03

## TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, MICHAEL CHEUNG, et al., entitled LINK SIZING BASED ON BOTH USER BEHAVIOR AND TRAFFIC CHARACTERISTICS, for a(n):

(X) Original Patent Application.

( ) Continuing Application (prior application not abandoned):

( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_

( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

(X) Specification 30 Total Pages; (X) Drawing(s) 4 Total Sheets; (X) Cover Sheet 1 Page

(X) Oath or Declaration: 2 Pages

(X) A Newly Executed Combined Declaration and Power of Attorney:

(X) Signed. ( ) Unsigned. ( ) Partially Signed.

( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein in its entirety for all purposes.

( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

( ) Power of Attorney.

(X) Return Receipt Postcard.

( ) Associate Power of Attorney.

(X) A Check in the amount of \$1,642.00 for the Filing Fee.

( ) Preliminary Amendment.

( ) Information Disclosure Statement and Form PTO-1449.

(X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

(X) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.

( ) A Certified Copy of Priority Documents (if foreign priority is claimed).

( ) Applicant(s) is entitled to small entity status. See 37 CFR 1.27.

( ) Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.

(X) Recordation of Assignment Cover Sheet and executed Assignment.

( ) Other: \_\_\_\_\_

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	58	38	\$18.00	\$ 684.00
Independent Claims	5	2	\$84.00	\$ 168.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$40.00
Basic Filing Fee				\$750.00
Total Filing Fee				\$1,642.00

Charge \$ \_\_\_\_\_ to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: \_\_\_\_\_

Christian A. Nicholes, Reg. No. 50,266

Date: August 21, 2003

Correspondence Address:



29989

PATENT TRADEMARK OFFICE

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: \_\_\_\_\_

Typed Name: Trudy Bagdon

Express Mail Label No.: EV322192416US

Date of Deposit: August 21, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003		Complete if Known	
Patent fees are subject to annual revision, Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28		Application Number	Not Yet Assigned
		Filing Date	August 21, 2003
		First Named Inventor	MICHAEL CHEUNG
		Examiner Name	Not Yet Assigned
		Group/Art Unit	Not Yet Assigned
TOTAL AMOUNT OF PAYMENT		Attorney Docket No.	50325-0796

  

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																														
<p>1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.</p> <p>Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">50-1302</span></p> <p>Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">Hickman Palermo Truong &amp; Becker, LLP</span></p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:  <input checked="" type="checkbox"/> Check    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p> <p>3. <input type="checkbox"/> Applicant(s) is entitled to small entity status. See 37 CFR 1.27</p>	<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee \$</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee \$</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td><b>SUBTOTAL (3)</b></td> <td><b>(\$)</b> 40.00</td> </tr> </tbody> </table>	Large Entity Fee Code	Large Entity Fee \$	Small Entity Fee Code	Small Entity Fee \$	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00	1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))		Other fee (specify) _____						Other fee (specify) _____						*Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3)</b>	<b>(\$)</b> 40.00
Large Entity Fee Code	Large Entity Fee \$	Small Entity Fee Code	Small Entity Fee \$	Fee Description	Fee Paid																																																																																																																																																																										
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																											
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																											
1053	130	1053	130	Non-English specification																																																																																																																																																																											
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																											
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																											
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																											
1252	410	2252	205	Extension for reply within second month																																																																																																																																																																											
1253	930	2253	465	Extension for reply within third month																																																																																																																																																																											
1254	1,450	2254	725	Extension for reply within fourth month																																																																																																																																																																											
1255	1,970	2255	985	Extension for reply within fifth month																																																																																																																																																																											
1401	320	2401	160	Notice of Appeal																																																																																																																																																																											
1402	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																											
1403	280	2403	140	Request for oral hearing																																																																																																																																																																											
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																											
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																											
1453	1,300	2453	650	Petition to revive - unintentional																																																																																																																																																																											
1501	1,300	2501	650	Utility issue fee (or reissue)																																																																																																																																																																											
1502	470	2502	235	Design issue fee																																																																																																																																																																											
1503	630	2503	315	Plant issue fee																																																																																																																																																																											
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																											
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																																											
1806	180	1806	180	Submission of information Disclosure Stmt																																																																																																																																																																											
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																																										
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																											
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																											
Other fee (specify) _____																																																																																																																																																																															
Other fee (specify) _____																																																																																																																																																																															
*Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3)</b>	<b>(\$)</b> 40.00																																																																																																																																																																										
<p><b>1. BASIC FILING FEE</b></p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>750</td><td>2001</td><td>375</td><td>Utility filing fee</td><td>750.00</td></tr> <tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>520</td><td>2003</td><td>260</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>750</td><td>2004</td><td>375</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="4"><b>SUBTOTAL (1)</b></td> <td></td> <td><b>(\$)</b> 750.00</td> </tr> </tbody> </table> <p><b>2. EXTRA CLAIM FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Total Claims</th> <th colspan="2">Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>58</td> <td>-20**=</td> <td>38</td> <td>X</td> <td>18.00</td> <td>= 684.00</td> </tr> <tr> <td>5</td> <td>-3**=</td> <td>2</td> <td>X</td> <td>84.00</td> <td>= 168.00</td> </tr> <tr> <td colspan="4">Multiple Dependent</td> <td></td> <td></td> </tr> </tbody> </table> <p><b>**or number previously paid, if greater; For Reissues, see below</b></p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>**Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr> <td colspan="4"><b>SUBTOTAL (2)</b></td> <td></td> <td><b>(\$)</b> 852.00</td> </tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1001	750	2001	375	Utility filing fee	750.00	1002	330	2002	165	Design filing fee		1003	520	2003	260	Plant filing fee		1004	750	2004	375	Reissue filing fee		1005	160	2005	80	Provisional filing fee		<b>SUBTOTAL (1)</b>					<b>(\$)</b> 750.00	Total Claims		Extra Claims		Fee from Below	Fee Paid	58	-20**=	38	X	18.00	= 684.00	5	-3**=	2	X	84.00	= 168.00	Multiple Dependent						Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	**Reissue independent claims over original patent		1205	18	2205	9	**Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>					<b>(\$)</b> 852.00	<p><b>SUBMITTED BY</b></p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2" style="text-align: center;">Name (Print/Type)</th> <th colspan="2" style="text-align: center;">Registration No. (Attorney/Agent)</th> <th colspan="2" style="text-align: center;">Telephone</th> </tr> </thead> <tbody> <tr> <td colspan="2">CHRISTIAN A. NICHOLAS</td> <td colspan="2">50,266</td> <td colspan="2">(408) 414-1080</td> </tr> <tr> <td colspan="2">Signature: </td> <td colspan="2"></td> <td colspan="2">Date: August 21, 2003</td> </tr> </tbody> </table>		Name (Print/Type)		Registration No. (Attorney/Agent)		Telephone		CHRISTIAN A. NICHOLAS		50,266		(408) 414-1080		Signature:				Date: August 21, 2003																																															
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																										
1001	750	2001	375	Utility filing fee	750.00																																																																																																																																																																										
1002	330	2002	165	Design filing fee																																																																																																																																																																											
1003	520	2003	260	Plant filing fee																																																																																																																																																																											
1004	750	2004	375	Reissue filing fee																																																																																																																																																																											
1005	160	2005	80	Provisional filing fee																																																																																																																																																																											
<b>SUBTOTAL (1)</b>					<b>(\$)</b> 750.00																																																																																																																																																																										
Total Claims		Extra Claims		Fee from Below	Fee Paid																																																																																																																																																																										
58	-20**=	38	X	18.00	= 684.00																																																																																																																																																																										
5	-3**=	2	X	84.00	= 168.00																																																																																																																																																																										
Multiple Dependent																																																																																																																																																																															
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																										
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																											
1201	84	2201	42	Independent claims in excess of 3																																																																																																																																																																											
1203	280	2203	140	Multiple dependent claim, if not paid																																																																																																																																																																											
1204	84	2204	42	**Reissue independent claims over original patent																																																																																																																																																																											
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																											
<b>SUBTOTAL (2)</b>					<b>(\$)</b> 852.00																																																																																																																																																																										
Name (Print/Type)		Registration No. (Attorney/Agent)		Telephone																																																																																																																																																																											
CHRISTIAN A. NICHOLAS		50,266		(408) 414-1080																																																																																																																																																																											
Signature:				Date: August 21, 2003																																																																																																																																																																											

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Alexandria, VA 22313-1450.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	MICHAEL CHEUNG
	Title	LINK SIZING BASED ON BOTH USER BEHAVIOR AND TRAFFIC CHARACTERISTICS
	Atty. Docket Number	50325-0796

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 21, 2003

Date

  
Signature

CHRISTIAN A. NICHOLLES (Reg. No. 50,266)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**